Status of the WHO Framework Convention on Tobacco Control

1. The WHO Framework Convention on Tobacco Control entered into force on 27 February 2005. The ratification by Ghana and the accession of Armenia on 29 November 2004 brought the total number of Contracting Parties to 40, thereby triggering the countdown for the entry into force of the Convention. Pursuant to its Article 36, the Convention entered into force on the ninetieth day following the date of deposit of the fortieth instrument of ratification, acceptance, approval, formal confirmation or accession with the Depository. Pursuant to Article 23.1 of the Convention, the first session of the Conference of the Parties is being convened by WHO and will be held in Geneva from 6 to 17 February 2006.

2. At the end of the second session of the Open-ended Intergovernmental Working Group on the WHO Framework Convention on Tobacco Control, on 4 February 2005, there were 168 signatories and 55 Contracting Parties to the Convention. On 3 November 2005, the milestone of 100 Contracting Parties was reached when Brazil deposited its instrument of ratification. As of 9 January 2006 there were 116 Contracting Parties to the Convention (see Annex 1), accounting for 75% of the world’s population. With nearly 90% of Member States having signed within a year of its opening for signature, the Framework Convention has become one of the most rapidly embraced treaties in the United Nations system.

3. Signature indicates a State’s intention to be bound by the Convention at a later date. Ratification, acceptance, approval or formal confirmation are international acts by which States or regional economic integration organizations that have already signed the Framework Convention formally express their consent to be bound by it. WHO encourages those Member States and regional economic integration organizations that have signed but not ratified, approved, accepted or formally confirmed the Convention to do so as early as possible (see Annex 2 for a model instrument of ratification).

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1 Of the 116 Contracting Parties, 113 deposited their instruments of ratification, acceptance, approval, formal confirmation or accession by 20 November 2005 and therefore will have voting privileges as a member of the Conference of the Parties for all or some portion of the first session.

2 “Acceptance” and “approval” have the same international legal effects as ratification. Formal confirmation is the equivalent of ratification for regional economic integration organizations such as the European Community.
4. States that were unable to sign by the 29 June 2004 deadline may still become Contracting Parties to the Convention by means of accession, a single-stage process equivalent to ratification. As of 9 January 2006, Armenia, Azerbaijan, Equatorial Guinea, Guyana, Nauru and Oman have acceded to the Convention.

5. The goal is to have the greatest possible number of States and regional economic integration organizations ratify, accept, approve, formally confirm or accede to the Convention in order to maximize the Convention’s full potential as a global public health tool.
ANNEX 1

Member States (by region) and regional economic integration organizations that have signed and/or become Contracting Parties to the WHO Framework Convention on Tobacco Control (as of 9 January 2006) – Total: 116 Contracting Parties

<table>
<thead>
<tr>
<th>Regions</th>
<th>African (40)</th>
<th>The Americas (33)</th>
<th>South-East Asia (10)</th>
<th>European (44 + European Community)</th>
<th>Eastern Mediterranean (19)</th>
<th>Western Pacific (27)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>Angola</td>
<td>Benin</td>
<td>Botswana</td>
<td>Burkina Faso</td>
<td>Burundi</td>
<td>Cameroon</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>Bhutan</td>
<td>Democratic</td>
<td>People’s Republic of</td>
<td>Korea</td>
<td>India</td>
<td>Maldives</td>
</tr>
</tbody>
</table>
ANNEX 2

(To be signed by the Head of State, Head of Government, or Minister of Foreign Affairs)

INSTRUMENT OF RATIFICATION

WHEREAS the WHO Framework Convention on Tobacco Control was adopted on 21 May 2003 in Geneva, Switzerland,

AND WHEREAS the said WHO Framework Convention on Tobacco Control has been signed on behalf of the Government of [name of country] on [date of country’s signature of the WHO Framework Convention on Tobacco Control],

NOW THEREFORE I, [name and title of the Head of State, Head of Government, or Minister of Foreign Affairs] declare that the Government of [name of country], having considered the above-mentioned Convention, ratifies the same and undertakes faithfully to perform and carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed this instrument of ratification at [place] on [date].

[Signature]

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